

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

WALTER WILLIAM WORDELL,  
aka WALTER WILLIAM WARDELL,

Petitioner,

Case Number: 08-CV-13772

v.

Honorable Marianne O. Battani

CAROL HOWES,

Respondent.

**ORDER GRANTING PETITIONER'S  
REQUEST FOR AN EXTENSION OF TIME TO RESUBMIT HIS  
HABEAS PETITION AND ASK THE COURT TO REOPEN THE PROCEEDINGS**

Pending before the Court is Petitioner Walter William Wordell's "Letter," filed on August 4, 2010 [Dkt. # 15]. The Court construes Petitioner's "Letter" as a motion for an extension of time in which to resubmit his habeas petition to the Court and as a request to file a motion to reopen his habeas-corpus proceedings.

On September 3, 2008, Petitioner filed a *pro se* petition for a writ of habeas corpus, under 28 U.S.C. § 2254, challenging his 2006 guilty-plea conviction for bribing a witness in a criminal case. In his *pro se* pleadings, Petitioner asserted ineffective-assistance-of counsel claims, alleging that counsel failed to properly investigate, and thereby making his plea illusory.

Subsequently, on September 11, 2008, the Court ordered Respondent to file an answer to the petition by March 11, 2009 [Dkt. # 4]. In lieu of filing an answer, on February 26, 2009, Respondent filed a motion to dismiss on the basis that Petitioner's claim was unexhausted [Dkt. # 7]. The Rule 5 materials were filed on March 10, 2009 [Dkt. # 12].

On March 12, 2009, the Court granted Respondent's motion. Petitioner is now requesting that the Court extend the time in which he is required to resubmit his habeas petition and reopen the proceedings. His delayed application for leave to appeal the denial of his state post-conviction to Michigan Court of Appeals was denied on October 7, 2009. *People v. Wordell*, No. 292662 (Mich.Ct.App. Oct. 7, 2009). The Michigan Supreme Court denied his application for leave to appeal the Court of Appeals's decision on March 29, 2010. *People v. Wordell*, 485 Mich. 1126, 780 N.W.2d 257 (2010). Petitioner's federal habeas case is now ripe for consideration.

Therefore, the Court will grant Petitioner's request and allow him an additional sixty (60) days in which to resubmit his habeas petition and request that the Court reopen his habeas proceedings. The Court finds that Respondent will not be prejudiced by granting Petitioner's request.

Accordingly, **IT IS ORDERED** that Petitioner's request is **GRANTED**. (Dkt. # 15.)

s/Marianne O. Battani  
MARIANNE O. BATTANI  
UNITED STATES DISTRICT JUDGE

DATED: September 8, 2010

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of this Order was served upon the Petitioner via ordinary U.S. Mail and/or electronically.

s/Bernadette M. Thebolt  
Case Manager